

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION

RONNIE VERSIE, ET AL.

PLAINTIFFS

VS..

CASE NO. 3:04CV00007 JMM

DONALD JONES CONSTRUCTION

DEFENDANT

ORDER

On May 5, 2005, plaintiffs were given notice of Local Rule 5.5(c)(2) of the United States District Courts for the Eastern and Western Districts of Arkansas which states that *pro se* litigants are required to monitor the progress of their case, to prosecute or defend the action diligently, and to respond to any communication from the Court within thirty (30) days or their case could be dismissed without prejudice. On this same date, plaintiffs were instructed to file a response to a pending motion for summary judgment and to respond to, and cooperate with, defense counsel on all discovery requests.

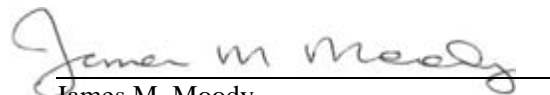
Plaintiffs did not respond to the pending summary judgment motion and on May 20, 2005, the Court ruled on the merits of the motion on May 20, 2005 by dismissing all plaintiffs claims except the ones based upon the Arkansas Civil Rights Act and 42 U.S.C. § § 1981 and 1982.

By a June 13, 2005 Order, plaintiffs were directed to comply with the Court's May 5, 2005 Order to cooperate with defense counsel on all discovery requests on or before July 27, 2005 or that their case would be dismissed without prejudice for failure to prosecute.

On July 27, 2005, defendant filed a motion to dismiss for failure to prosecute stating that plaintiffs had failed to communicate with them regarding the scheduled trial of September 19, 2005. Plaintiffs have failed to respond to the pending motion.

Based upon the failure by plaintiffs to cooperate with defense counsel on discovery requests as directed by the Court and plaintiffs failure to prosecute their case, defendant's motion to dismiss is granted (#32 ). Judgment will entered accordingly.

IT IS SO ORDERED this 11 day of August, 2005.

  
James M. Moody  
United States District Judge